

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jose Israel SANDOVAL-Munoz,

Defendant.

Magistrate Case No.: '08 MJ 8351

COMPLAINT FOR VIOLATION OF

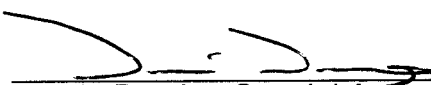
21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about April 24, 2008, within the Southern District of California, defendant Jose Israel SANDOVAL-Munoz did knowingly and intentionally import approximately 39.60 kilograms (87.12 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Lonnie Brasby, Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 25TH
DAY OF APRIL 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Jose Israel SANDOVAL-Munoz

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents, and notes
6 furnished to U. S. Immigration and Customs Enforcement Special Agent Lonnie Brasby.

7 On April 24, 2008, at approximately 2000 hours, Jose Israel SANDOVAL-Munoz
8 entered the United States at the Calexico, CA, West Port of Entry. SANDOVAL-Munoz
9 was the sole occupant driver of a 1990 Isuzu Amigo.

10 Customs and Border Protection Officer (CBPO) E. Smura, Canine Enforcement
11 Officer (CEO) J. Jones, and CEO J. Jones' assigned Narcotic Detector Dog (NDD) were
12 conducting a pre-primary roving operation when CEO J. Jones' NDD alerted to a 1990
13 Isuzu Amigo. SANDOVAL-Munoz gave a negative Customs declaration to CBPO E.
14 Smura. During questioning, SANDOVAL-Munoz advised CBPO E. Smura that he was
15 going to Wal-Mart in Calexico, California to buy shoes for his daughter. SANDOVAL-
16 Munoz also advised CBPO E. Smura that he was the owner of the vehicle and had
17 bought it two weeks prior. While contacting SANDOVAL-Munoz, CBPO E. Smura
18 observed that SANDOVAL-Munoz was avoiding eye contact, sweating, and his hands
19 were shaking when passing documents. CBP Officer E. Smura then escorted
20 SANDOVAL-Munoz to the vehicle secondary office.

21 In the vehicle secondary lot, a subsequent inspection of the vehicle revealed
22 eighteen (18) packages, which were discovered in specially built non-factory
23 compartments within all four (4) tires of the vehicle. One of the packages was probed
24 and a sample of a green leafy substance was obtained, which field tested positive for
25 marijuana. The 18 packages had a combined net weight of approximately 39.60
26 kilograms (87.12 pounds) of marijuana.

27 SANDOVAL-Munoz was arrested for importation of marijuana into the United
28 States. SANDOVAL-Munoz was advised of his rights, per Miranda. SANDOVAL-
29

1 Munoz stated that he understood his rights and was willing to answer questions without
2 the presence of an attorney. SANDOVAL-Munoz admitted to smuggling the narcotics
3 concealed in the vehicle and was to be given the 1990 Isuzu Amigo in return.
4 SANDOVAL-Munoz stated that the Isuzu Amigo was worth approximately \$350.00.